

**REMARKS**

In response to the Office Action mailed March 3, 2004, each one of the cited references has been reviewed, and the rejections and objections made to the claims by the Examiner have been considered. The claims presently on file in the above-identified application are believed to be patentably distinguishable over the cited references, and therefore allowance of these claims is earnestly solicited.

In order to render the claims more clear and definite, and to emphasize the patentable novelty thereof, claims 3, 9 and 10 have been amended, claims 1-2, 6-8, and 12-13 have been cancelled, and new claims 14-24 have been added.

**Allowed and Allowable Claims**

Attorney for applicant gratefully acknowledges that the examiner has found that claims 9-11 to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Claims 9-10 have therefore been rewritten in independent form to include the base claim 6 and intervening claims 7-8.

With respect to claim 10 attorney for applicant has noted that the examiner objected to claim 10 as not limiting the subject matter of claim 7 from which it depends. In this regard attorney for applicant has only included the noted limitation once in amended claim 10. Claims 9-11 therefore are now in condition for immediate allowance.

### **New Claims**

New independent claim 14 and its dependent claims 15-18 have been added. New independent claim 14 includes a limitation similar to the reasoning the examiner stated for finding that claims 9-11 included allowable subject matter. More particularly, new independent claim 14 recites, "a control algorithm for adjusting a contrast level of said display unit, said control algorithm for adjusting a contrast level of said display unit adjusting said contrast level to a default contrast level corresponding to a default brightness level of said illuminator whenever the display unit is displaying status information and not an image. " Based on the foregoing, new independent claim 14 and its dependent claims 15-18 are in condition for immediate allowance. Attorney for applicant has further amended claim 3 to depend from new dependent claim 15. Accordingly, claims 3-5 are also in condition for immediate allowance.

New independent claim 19 is directed to a digital camera and includes a limitation similar to the reasoned limitation the examiner stated was directed to allowable subject matter relative to claims 2-11. Accordingly, new independent claim 19 and its new dependent claims 20-24 are in condition for immediate allowance as well.

### **Conclusion**

Attorney for Applicant has carefully reviewed each one of the cited references made of record and not relied upon, and believes that the claims presently on file in the subject application patentably distinguish thereover, either taken alone or in combination with one another.

Therefore, all claims presently on file in the subject application are in condition for immediate allowance, and such action is respectfully requested. If it is felt for any reason that direct communication with Applicant's attorney would serve to advance


prosecution of this case to finality, the Examiner is invited to call the undersigned  
Jerry R. Potts, Esq. at the below-listed telephone number.

Dated: 5-26-04

Respectfully submitted,

Jerry R. Potts

By



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